

1895-071

Lee Co

Chancery Causes: Rebecca J. Roop vs. Samuel Roop

Epperson, Belcher, Mileyhan

CA-Divorce

T-Views



Virginia,

In the Circuit court of Lee county:

To the Hon. W.T. Miller, Judge of the said court,  
Humbly complaining your oratrix, Rebecca J. Roop, would respectfully represent and show unto your Honor that heretofore, to wit: on the       day of Aug., 1888, she was united in marriage, in Lee county, Virginia, to Samuel Roop, with whom ~~sh~~ she lived for about six years, when her said husband deserted her and left her to provide for her-self. Your oratrix will further show to your Honor that she was a loving, faithful ~~wife~~, and dutiful wife, always true and obedient to her said husband; that she used every means at her command to make their home happy, pleasant and prosperous, but her efforts in this direction were met with scorn, and ill treatment. And her said husband, as before stated, deserted her and has ever since been untrue to his marital vows, and guilty of often repeated acts of adultery, which adultery was committed by her said husband without <sup>the</sup> consent, connivance or procurement of your oratrix, and that he is now living in the most open adultery, certainly in the most shameful prostitution with one, Rachel M. Epperson. Your oratrix will further show unto your Honor that she has not co-habited or in any way had any thing to do with her said husband since <sup>these</sup> acts of adultery on the part of her husband come to her knowledge. Your oratrix will further show unto your Honor that ~~She~~ is a resident of Lee county, Virginia, and has resided in said county for more than twelve months next preceding the bringing of this suit; and your oratrix alleges that the adultery here complained of occurred less than five years next before the institution of this suit.

Now the object of this bill is to obtain a decree dissolving the bonds of matrimony heretofore contracted and now existing between your oratrix and her husband, the said Samuel Roop, and being without remedy at common law, she prays your Honors court of equity to take cognizance of her



cause and render her the proper relief. To this end she prays that the said Samuel Roop be made a party defendant to this bill, and that he be required to answer its several allegations, but not on oath, that being waived, and that upon a final hearing a decree be pronounced by you Honor dissolving the bonds of matrimony now existing between your oratrix and her said husband, and if any wise mistaken in this her special prayer she prays for other, further and general relief.

May the Commonwealth's writ of spa. issue, &c.

*Orr, Blauvelt & Ewing, P.Q.*

CLERK RECEIPT.

No. **63**

SUITS.

Plaintiff *Rebecca J. Roof*

Defendant *Samuel Roof*

Date *October the 30th 1894*

Amount of tax, - - - - \$ *1.50*

~~Common law~~

Chancery *Bill, Choy*

Received (date) *October 3rd 1894*

*A. B. Munsey* Clerk.



Rebecca J. Roop

vs. } Bill.

Samuel Roop.

Or. Clerkships Ewing.  
P. 2.

1895-2<sup>nd</sup> January rules bill filed  
and Contd for order Pub.  
" 1<sup>st</sup> Feb'y rules Contd  
" 2<sup>nd</sup> " " order Pub  
Completed & cause set for  
hearing by Plff.

1895 to 1900

March Term 1895 Term  
final See Chy order  
Book Page 146

Plffs Costs

C. \$7.94

Printer 5.00

atty 15.00

Co C. 25

~~\$28.19~~

Defts costs

C. 1.35

~~7.94~~

C. \$9.29

28.19

1.35

79

~~29.54~~

2/29.54

14.77



Rebecca J. Proop  
vs. } In Chancery.  
Samuel Proop.

This cause having been set for hearing came on this day to be heard upon the bill of complaint and the depositions of witnesses and was argued by counsel. And it appearing to the Court that the allegations of said bill had been fully proven, it is adjudged, ordered and decreed that the bonds of matrimony heretofore existing between the said Rebecca J. Proop and Samuel Proop be, and the same are hereby dissolved as to each of them and that the Plaintiff recover of the Defendant her costs in this behalf expended. And this cause is stricken from the docket.



Rebecca J. Roof

vs. } Devere.

Samuel Roof.

O.B.

Page 146

Enter this Issue

W. J. M.

March 7, 1895.



Rebecca J. Roop }  
                  <sup>vs.</sup> } In Chancery.  
Samuel Roop }

The deposition of M. C. Belcher taken before me H. C. Joslyn a Justice of the Peace for Lee County Virginia, at the office of Orr Blankenship & Ewing in the Town of Jonesville Lee Co Va on the 6<sup>th</sup> day of March 1895. To be read as evidence in behalf of The Plaintiff in a certain Suite in Chancery pending in the Circuit Court of Lee County—wherein Rebecca J. Roop is plaintiff and Samuel Roop is defendant. Present G. W. Blankenship Atty for the Plaintiff.

M. C. Belcher a witness of lawful age being duly sworn deposes as follows.

Ques 1 please state your age, occupation & place of residence?

Ans. I am 29 years of age, a Farmer by occupation. I live at Blackwater Lee Co Va.

Ques. 2 State whether or not you are acquainted with Samuel Roop the deft. in this case, & also if you <sup>know</sup> Rachel M. Epperson or



Margaret Epperson as she is some-  
times called?

Ans I know Samuel Roof. have known  
him about 8 months. I also know  
Rachel M. Epperson. I know her  
by the name of Margaret Epperson  
I have known her about 5 or 6  
months.

Ques. 3. please state if you know  
whether or not they, the said  
Samuel Roof & Margaret Epper-  
son, are living together & any-  
thing you may know about  
them living together?

Answer. I know they both stay at the same  
house. There is no other woman  
living at the house with them.  
I have seen her cooking at the  
house where they live. and have  
seen him eating there. I have  
heard Samuel Roof say she  
was living with him.

And further this deponent with not.

Witness claims

M. C. <sup>his</sup> Belcher  
mark

1 day 50 Cents.

Virginia Lee County To-wit:  
I, Henry C. Goslyn a Justice of  
the Peace for the said County



do hereby Certify. That the foregoing  
deposition of M. C. Belcher. was  
duly taken. Sworn to and Subscribed  
before me. at the time and  
place mentioned in the Caption  
of the same.

Given under my hand This 6<sup>th</sup>  
day of March 1895.

M. C. Foslyn J. P.



Rebecca J. Roof  
vs. 3<sup>d</sup> ch  
Samuel Roof

The deposition  
of M. C. Belcher

Received from H. C.  
Joslyn the Justice by  
for whom taken and  
filed March the 6<sup>th</sup> 1888  
A. B. Munsey Clerk

J. P. Fee .75-



Rebecca J. Roof }  
vs. } Du Chauncy.  
Samuel Roof }

The deposition of Rebecca J. Roof ~~and~~  
and others taken before me H. C.  
Joslyn a Justice of the Peace  
for Lee County Virginia, at the  
office of Orr, Blankenship & Dwing  
in the town of Jonesville, Lee  
County Va. <sup>on the 23<sup>rd</sup> day of Febr. 1895.</sup>  
To be read as evidence  
in behalf of the plaintiff, in a  
certain suit in chancery, pending  
in the Circuit Court of Lee County,  
wherein Rebecca J. Roof is plaintiff  
and Samuel Roof is defendant.  
Present Rebecca J. Roof Plaintiff  
and G. W. Blankenship her atty.  
Rebecca J. Roof a witness of lawful  
age being duly sworn deposes as  
follows.

Ques. 1. Please state your age, occupation  
& place of residence?

Ans. I am 21 years of age. I am a  
housekeeper, and reside near  
Corinth P. O. Lee Co Va.

Ques. 2. Please state whether or not  
you are the wife of Samuel  
Roof, & if so when you  
were married, how long



you lived together, when he  
left you & why?

Sus.

I am the wife of Samuel Roof.  
I was married to him in August  
1888. and lived with him nearly  
six years. he left me in March  
1894. He brought a woman by  
the name of Rachel M. Epperson  
to our house, and I objected to  
her staying there, and made her  
leave, and because I done so  
he left me. he took the said  
Epperson <sup>woman</sup> with him and went to  
Kentucky. She was reputed to be  
a woman of lewd character.  
I learn that he is now living with  
this Epperson woman in the state  
of Tenn. I have been at the  
house where they live, in the  
state of Tenn. and seen them  
living together. I have heard  
them both say they <sup>were</sup> living to-  
gether as man and wife. I  
have not cohabited with him  
or had anything to do with  
him since I found out how  
he was doing. or since he left me.



I am a resident of Lee County Virginia, and have been ~~since~~ for more than twelve months before this suit was brought. The said abandonment of me. by my said husband, and his said adulterous conduct was without cause on my part and without my consent, connivence or procurement.

And further this deponent soith nat.

Rebecca Jane Roop

F. A. Milham another witness of lawful age being duly sworn deposes as follows.

Ques. 1. Please state your age occupation & place of residence?

I am 17 years of age. a farmer and live near Bridemore P. O. Lee County Va.

Ques. 2, please state whether or not you are acquainted with the plaintiff Rebecca J. Roop & the defendant Samuel Roop, & if so how long you have known them?

Answer. I am acquainted with both Rebecca J. Roop & Samuel Roop. I have



Known Rebecca J. Roof about two years. and Samuel Roof all my life

Ques. 3. Please state if you know where the said Samuel Roof is now living, how & with whom he is living, & all you may know about him?

Answer. He is living in the State of Tenn with Rachel M. Epperson. I have been to their house. They were living together and he tried to make me believe they were married. I saw them both in the house together, I saw him start to the Spring for water. She told him to go for water. Saw them together once before in this County, in a little house near Asa Roofs. They left there together and the next time I saw them was in Tenn as stated above. I heard him say they were living together, and that she took row about with him in the Cornfield. It was the general understanding



among the people where he now  
lives. that they were man and  
wife. and seemed very much surprised  
when they found out that the  
Epperson woman was not his  
wife. I heard some of his  
neighbours in Tenn say that they  
thought the Epperson woman  
was his wife. and did not  
know any better until I told  
them she was not his wife.  
I know Mrs Roop the plaintiff in  
this case had lived in Lee County  
Va for more than twelve months  
before she commenced this suit.  
And further this deponent soith not.

F. A. Milern

Virginia Lee County To-wit:

I Henry C. Goolyn. a Justice of the  
Peace for the said County. do hereby  
Certify. that the foregoing depositions of  
Rebecca J. Roop and F. A. Milham. were  
duly taken. sworn to and subscribed  
before me, at the time and place  
mentioned in the Caption of the same.  
Given under my hand. this 23<sup>rd</sup> day  
of Feby 1895.

H. C. Goolyn J. P.



Rebecca J. Roof  
v.s. } In chg  
Samuel Roof

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The depositions  
of Rebecca J. Roof &  
F. A. Milham

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Filed Feb'y the 23<sup>d</sup> 1895  
A. B. Muncy Clerk

J. P. Fee 75



In the Clerk's Office of the Circuit Court of the County of  
Lee on the 9th day of January 1895

Rebecca J Roof Plaintiff  
against

In Chancery

Samuel Roof Defendant.

The object of this suit is to obtain a decree for a divorce a  
Vinculo Matrimonii dissolving the bonds of Matrimony  
now existing between the plaintiff and the defendant  
And an affidavit having been made and filed that the defendant Samuel Roof is

not resident of the State of Virginia, it is ordered that he do appear here, within fifteen  
after due publication hereof, and do what may be necessary to protect his ~~their~~ interest in this suit. And it is  
farther ordered that a copy hereof be published once a week for four weeks in the Southwest  
Virginian, and that a copy be posted at the front door of the court-house of this County  
on the first day of the next term of the County Court.

A copy—Teste:

Orre. B Ewing

p. q.

A. B. Munsey Clerk.



Rebecca J. Roop

VS.

ORDER  
OF  
PUBLICATION.

Samuel Roop

I Certify that I delivered a copy of the within order of Publication to the Editor of The Southwest Virginian on the 9<sup>th</sup> day of Jan'y 1895. for publication and that I posted a copy of the same at the front door of the Court house as the law directs. Given under my hand this the day of Feb'y 1895-

A. B. Munsey  
Clerk



In the Clerk's Office of the Circuit Court of the County of  
Lee

against Rebecca J Roop

Plaintiff

In chancery

Samuel Roop

Defendant

This day 6. C. Flanary personally appeared  
before me A. B. Munsey Clerk of the said Court,  
and being duly sworn, made oath that Samuel Roop

defendant in the said suit is not a resident of the State of Virginia,

Given under my hand has Clerk of the said Court, this

9th day of January

A. B. Munsey Clerk

1895



Rebecca Roop

vs.

}

AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

Samuel Roop

O. B. & Ewing p. q.